

1 CHRISTOPHER R. ORAM, ESQ.
Nevada Bar No. 004349
2 520 South Fourth Street, Second Floor
Las Vegas, Nevada 89101
3 (702) 384-5563

4 Attorney for Defendant
GILBERT DAVILA JR.

6 **UNITED STATES DISTRICT COURT**
DISTRICT OF NEVADA

7 **-oOo-**

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 vs.

11 GILBERT DAVILA JR.,

12 Defendant.

Case No: 2:18-cr-062-JCM-NJK

Stipulation to Vacate Restitution Hearing
(ECF No. 66)

13 IT IS HEREBY STIPULATED AND AGREED, by and between NICHOLAS A.
14 TRUTANICH, United States Attorney, and ELHAM ROOHANI, Assistant United States Attorney,
15 counsel for the United States of America, and CHRISTOPHER R. ORAM, counsel for Defendant
16 GILBERT DAVILA JR., that the restitution hearing date in the above-captioned matter, currently
17 scheduled for November 15, 2019 at 10:30 a.m., be vacated.

18 This stipulation is entered into for the following reasons:

19 1. On August 27, 2018, this Court sentenced Mr. Davila to 240 months of
20 imprisonment. As requested by the parties, this Court agreed to schedule a hearing to determine the
21 amount of restitution to November 15, 2019 at 10:30 a.m.

22 2. Since the sentencing hearing, defense counsel and his client have had an opportunity to
23 review the information provided by the government regarding restitution. The government has met
24 its burden under *Paroline v. United States*, 572 U.S. 434 (2014), and *United States v. Galan*, 804

1 F.3d 1287 (9th Cir. 2015). Accordingly, Mr. Davila has no legal or factual objections to the
2 restitution request and agrees to pay restitution in the amount of \$12,000.00.

3 3. The parties agree that Mr. Davila should pay restitution in the total amount of \$12,000.00,
4 based on the schedule previously submitted to the district court during the sentencing hearing, which
5 will be filed by the government under seal concurrent with this stipulation.

6 DATED this 1st day of November, 2019.

7
8 Respectfully submitted,

NICHOLAS A. TRUTANICH
United States Attorney

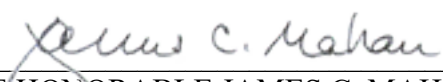
9
10 //s//
CHRISTOPHER R. ORAM, ESQ.
Counsel for Defendant

//s//
ELHAM ROOHANI
Assistant United States Attorney

11
12
13 **ORDER**

14 For good cause appearing, IT IS THEREFORE ORDERED that the restitution hearing
15 currently scheduled for November 15, 2019, at the hour of 10:30 a.m., be vacated and final judgment
16 entered consistent with the parties' stipulation. The restitution will be attached to the final judgment
17 UNDER SEAL.

18
19 DATED November 4, 2019.

20
21 
22 THE HONORABLE JAMES C. MAHAN
23 UNITED STATES DISTRICT JUDGE
24